

★ SEP 26 2007 ★

BROOKLYN OFFICE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA,

97 CR 669 (SJ)(RML)

- against -

**ORDER**

CLIFFORD HOTTE,

Defendant.

-----X

**APPEARANCES:**

ROSLYNN R. MAUSKOPF  
United States Attorneys Office  
Eastern District of New York  
One Pierrepont Plaza  
Brooklyn, NY 11201  
By: Beth P. Schwartz, Esq.  
Attorney for the United States

CLIFFORD HOTTE  
51 Prospect Road  
Centerport, NY 11721  
Defendant, *Pro Se*

JOHNSON, Senior District Judge:

Before the Court is a Report and Recommendation (the "Report") prepared by Magistrate Judge Robert M. Levy. Judge Levy filed the Report on September 10, 2007, and provided the parties with the requisite amount of time to file any objections. No objections have been filed.

A district court judge may designate a magistrate judge to hear and determine certain motions pending before the Court and to submit to the Court proposed findings of fact and a recommendation as to the disposition of the motion.

See 28 U.S.C. § 636(b)(1). Within 10 days of service of the recommendation, any party may file written objections to the magistrate's report. Id. Upon *de novo* review of those portions of the record to which objections were made, the district court judge may affirm or reject the recommendations. Id. The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. See Thomas v. Arn, 474 U.S. 140, 150 (1985).

As mentioned, no objections were filed within the allotted time period. Upon review, the Court adopts and affirms the Report. Defendant Clifford Hotte's motion to modify the restitution order is DENIED, and the government's application for a Writ of Continuing Garnishment is GRANTED.

SO ORDERED.

Dated: September 26, 2007  
Brooklyn, NY

/s/(SJ)  
\_\_\_\_\_  
STERLING JOHNSON, JR.  
Senior United States District Judge